

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FAIRFIELD COUNTY
James R. Barber, III, Circuit Court Judge
2007-CP-20-0344

69355

Appellate Case No. 2012-213277

Eleanya Ogburu-Ogbonnaya,

Appellant,

vs.

F. Montgomery,

Appellant.

MOTION FOR EXTENSION TO FILE
THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

RECEIVED
AUG 07 2013
SC Court of Appeals

Counsel for Appellant respectfully requests an extension of an additional thirty days in which to file the Initial Brief of Appellant and Designation of Matter in the above case. In support of this request, counsel will show:

1.) The Initial Brief of Appellant and Designation of Matter in this case were due to be served and filed with the Court on June 14, 2013. Counsel has been granted two previous extensions in which to file the Initial Brief.

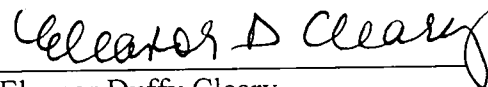
2.) Counsel wrote a letter to the Court on June 14, 2013 requesting an extension of thirty days. Counsel received a letter from the Court dated July 26, 2013 stating counsel did not send the correct filing fee of \$25.00 and the extension request

needed to be in the form of a motion. Counsel respectfully requested an extension of thirty days in which to file the Initial Brief of Appellant due to Dr. Ogburu informing her of his intentions to retain another attorney. Counsel is now putting this extension request in the form of a motion and is enclosing the filing fee of \$25.00.

3.) This motion for an extension is not intended for the purpose of delay. Rather, this extension request is necessitated due to Dr. Ogburu's intentions of retaining new counsel.

Based on the reasons above, counsel for Appellant respectfully requests an extension of thirty days in which to file the Initial Brief of Appellant and Designation of Matter in this case.

Respectfully submitted,



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August 5, 2013

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Eleanya Ogburu-Ogbonnaya,

Appellant,

v.


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Respondent,

PROOF OF SERVICE

I certify that I have served a copy of the Motion for Extension to File the Initial Brief of Appellant and Designation of Matter in this case on James Marcus Whitlark and Christopher Shannon Leonard by depositing a copy of the motion in the United States Mail, postage prepaid, on August 5, 2013, addressed to James Marcus Whitlark, PO Box 886, Columbia, SC 29202 and Christopher S. Leonard, PO Box 886, Columbia, SC 29202, the attorneys of record,

August 5, 2013



Karen Dumas Elliott
Paralegal to Eleanor Duffy Cleary
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